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## TOWN OF ROCKLAND

Board of Selectmen  
Town Hall  
242 Union Street  
Rockland, Massachusetts

*Chairman:*  
Louis U. Valanzola  
*Vice-Chairman:*  
Lawrence J. Chaffee  
*Selectmen:*  
Mary A. Parsons  
Keven D. Pratt  
Kelli A. O'Brien-McKinnon

*Town Administrator:*  
Bradley A. Plante

**MINUTES OF THE BOARD OF SELECTMEN'S OPEN SESSION held on  
Monday, October 17, 2005 at 7:00 PM in the H. Bernard Monahan Memorial Room,  
Town Hall, 242 Union Street Rockland, Massachusetts 02370**

**ATTENDANCE: Louis U. Valanzola, Lawrence J. Chaffee, Mary A. Parsons,  
Keven D. Pratt and Kelli A. O'Brien-McKinnon**

Mr. Valanzola led everyone in reciting the Pledge of Allegiance.

### **A. MINUTES - None**

### **B. UNFINISHED BUSINESS**

#### **1. Library/Fire Station Roofs w/Library Trustees Update**

Jennifer Campbell from JCH Consulting gave overview of conditions of both roofs. Fire Station – both sections of FD roof have several layers of roofing on them. In one section there was two inches of standing water. There were two layers of roofing on one side and three layers on the other. It will cost more to remove this roofing and now that we have the water in there it also adds to the cost. It is not going to be an easy project to remove the roofing with all the water there. Library – We have three different types of roofs. The back section has a “ballasted epdm” roof put on in the 1980's, we have the copper dome roof which has deteriorated and needs to be replaced as well and below that is an asphalt shingle roof that needs to be replaced as well as another fully adhered roof right at the base of the shingles that needs to be replaced. We went out to the library and started to do our survey and found that there is a lot more extensive work that needs to be done that was originally planned. Photographs were passed around. With all this said, to try and save money, we have been talking about which way to go as far as the library goes. We have several different options. One option is that the ballasted roof in the back be temporarily repaired which would probably be a few thousand dollars (that would give us maybe five more years). This way we could concentrate on the metal roof that needs to be replaced and the singled roof in the front. There are also two chimneys up there that need to be cut and re-pointed and a lot of bricks replaced as well as having caps put on because they are all deteriorated. The options with the copper dome: one is to replace it with new copper which will be quite costly. The second is to remove some of the copper and put on a new pbc membrane that actually resembles the color of copper and has ribs that you can weld on to the pbc to make it look like a standard

## **B. UNFINISHED BUSINESS (Continued)**

### **1. Library/Fire Station Roofs w/Library Trustees Update**

seam roof. However, we can't do all of it in this because there are sections that is metal work and we would have to replace that. The metal work is in such poor condition that I don't see how we can get it in good condition to even take a coating at this point. With all this said the options that I have recommended to Brad are that maybe we can phase this work so that we can concentrate more on the dome and where the bigger issues are and see if maybe we can spend some money to temporarily repair the ballasted roof rather than replace it at this time. When we put this project out to bid, would you like to consider doing both the copper and the pbc with miscellaneous metal work involved? Before I do the specifications I wanted to see which way the Town would like to go. The BOS discussed the roofs. Mr. Plante discussed the financial aspects of where we are at. Right now between the BC/BS money and the old CD H.U.D. money you have \$158,000.00 available. We are guessing that the FD roof will be less than \$100,000 but not a whole lot less which basically leaves you with \$60-70,000 for the library. It looks like we are in the neighborhood of \$200,000+ for the library to do that correctly. Which, obviously, we do not have the money right now. One of the options would be that we could do some of the temporary repairs to get us through to the spring. Hopefully the LNR money and some other things will clear up at that point. With that \$6.3 that we are getting we had planned on major repairs to the library but again that remains to be seen. I don't think that roof patched and repaired is going to last two to three years. Mrs. Parsons – We have \$1.26 coming from LNR and part of that can be used to do the roof. Mr. Plante – The only problem with that Mrs. Parsons is that we are running out of time and the winter is coming very soon. We could spend a few thousand now to get us through to the spring and then take a look next year. I don't know how the trustees feel about it although I do feel that this is the way to go. Mr. Valanzola – What would be the cost to patch roughly? Ms. Campbell – Somewhere between \$6-10,000. Mr. Plante – Obviously if we don't do anything we are risking serious additional damage. Beverly Brown (Librarian) – Questioned where the patches would be and approximately how long would the patching last. Ms. Campbell – It would get you through the winter so you can figure out which way to go. Andy Traintaffelow – Are you the only bidder? Did they bid all these jobs out? BOS – This has not gone out to bid yet...this is the consulting firm. Andy – This is the spec's. OK. If we sign a contract with whoever is going to do it, can we pay the balance when the money comes in the spring? Can we sign a contract and hold off and tell them come the spring or summer we will pay the remainder of the amount? Mr. Plante – I can't sign a contract, Andy, unless I have the money in hand. I have to physically have the money in hand before we can bid and sign a contract. It is illegal to do it otherwise. That is why we are stuck between a rock and a hard spot. Mr. Valanzola – Have we looked into repairing the library roof and doing temporary work on the FD roof? Ms. Campbell – No, the FD roof is too far gone. Mr. Valanzola – Could we use the reserve account money from the Finance Committee. This is an emergency and then replace that once we got the money from

## **B. UNFINISHED BUSINESS (Continued)**

LNR? Mr. Plante – You can't put money back into the reserve account. Plus this is a lot of money and we have winter coming up. Mrs. O'Brien-McKinnon – Also the copper is a lost art; there are not a lot of companies that can do the copper work. Ms. Campbell – Not this type of intricate work. There are a lot of details on it and it's curved. There are a few but not a huge amount. Mrs. Parsons – We could put an article in to take it from the reserve account. Mr. Valanzola – But we can't replace it. Mostly that reserve account has been used for snow removal. Could we use the money from LNR for snow removal? Mr. Plante – The only thing I'm concerned about, Mr. Chairman, is that today is October 17<sup>th</sup> and the bid process can take almost a month. We could be well into November .... I'm not sure we can make it. She hasn't even done the spec's yet. We are ready to go with the FD roof. Also the library roof would require staging. Mr. Valanzola – If we went ahead with both of these how long would it take...just an estimate? Ms. Campbell – The repairs...I would say about two months. Mr. Plante – With the repairs we only need to do quotes. We don't have to do a regular bid because it will be less than \$25,000 so all we need is 3 quotes. Ms. Campbell – That can be done in a couple of weeks. Mr. Valanzola – How about replacing them? Ms. Campbell – That would be the couple months. I can get the spec's done quickly, it's the whole bidding process that will take time. Mr. Chaffee – What you are looking from us tonight is a motion to go forward because we have to start somewhere.

**Motion: Mr. Chaffee – That we go forward on the roofs (Library & Fire Dept.)**

**Second: Mr. Pratt**

**Vote: 5-0**

### **2. Appointment to Capital Planning Committee**

Bernard Dunphy was not able to attend tonight he was not feeling well.

**Motion: Mr. Chaffee to appoint Bernard Dunphy to the Capital Planning Committee**

**Second: Mrs. Parsons**

**Vote: 5-0**

### **3. Approve Agreement Re: Estes Property**

We have an "Agreement for Right of Entry Site of Access Agreement". Mr. Plante: This was drafted by Attorney Laura Powers and Estes Attorney William Tuttle. It's pretty straight forward. It basically gives the Town the right to block it off, put up no trespassing signs and enforce those signs. We can hold the individuals (we know who they are) who have been throwing trash in there and we can make them remove that. The agreement has a clause in there that the Estes folks in-other-words, if there was an incident on the property and the police department had to effect an arrest then that would be the Town's problem. Which is understandable, I would want the same thing. Mr. Valanzola – One of the things that kind of bothered me was that the Town of Rockland acknowledges that the subject property is or was owned by a legal entity that no longer is an active person and is no longer authorized to conduct business in the Commonwealth of Massachusetts. I just don't want to inherit a problem here, even though it's written in

## **B. UNFINISHED BUSINESS (Continued)**

here and I read it over several times; we start maintaining that and put up the no trespassing signs and we are going to own this. We might be biting off more than we can chew. Mrs. O'Brien-McKinnon – We are not maintaining it though, we are just putting a barrier up so that no one goes into it. We are not maintaining the building or the property. We are not cleaning up the property, we are not touching it. Mr. Valanzola – Who actually owns it right now? Mr. Plante – It is still owned by the Lunquist Family and it has some environmental issues. Mr. Valanzola – Do we have any other options at this point? I read through this several times and I just .... If it was just throwing up some Jersey Barriers and no trespassing signs that would be one thing but it just seems like we are getting very involved here. One of the sections did allude to the fact that we would absorb all the costs for doing that and you don't want to get stuck in the situation that you have the police or whoever has to go down there and check this thing out on a periodic basis. I just want to be careful that we are not getting into something here that we really don't want to get in to. Mr. Plante - The flip side of it is that it's going to benefit the neighborhood. They are the ones that are pushing this. It's unsightly....all those cars and vehicles will be out of there. Mr. Valanzola – the eye sore is that it's overgrown and decrepit. Mr. Pratt – If someone was to go onto this property and get hurt, I would assume that there is currently no liability insurance on the building or the property. So does the Town of Rockland then.....I saw a clause in here saying that we were going to carry liability insurance. Is that just for our portion of it or are we going to be responsible is someone breaks into that building and gets hurt? Are they going to sue the Town? Mrs. O'Brien-McKinnon – In talking to Laura (Attorney Powers) it only pertained to having the cars ....in other words, once the no trespassing and barriers go up it's my understanding that was the end of the activity that would take place on that piece of property. Mr. Pratt – It's always been my opinion that you assume any type of a liability it becomes an assumed liability for the whole property. If someone goes into that property and breaks in there, the Town of Rockland is saying that they are responsible for some liability...all of a sudden they become responsible for all the liability. That would be my concern. Mr. Plante – I have been in there...there are old engines, auto parts, etc. Mr. Pratt - What is our recourse to get the property cleaned up and get the stuff out of there. Mrs. Parsons – The DEP was supposed to do it but they have some problem getting in there. Mr. Pratt – Nobody else seems to have a problem getting in there. Mrs. Parsons – I know. Mr. Plante – The other problem is that the folks as you see in this agreement have washed their hands of it. So even if you put a demolition order or whatever on them ... it's not going to happen. Mr. Pratt – How did Marshfield do it with that gas station? Mrs. Parsons – Find out from DEP what they are doing about it because it goes from cradle to grave and they are the ones who are supposed to chase down the owners to get this cleaned up. I have a problem with a sentence in here of acquisition process. I don't think we are acquiring this property at all. Mrs. Parsons read this section to the board..... I wouldn't even want to bother doing any of that. Mr. Plante – We have no intentions of it. Mrs. Parsons – I think this paragraph should come out period. Mrs. O'Brien-McKinnon – Maybe we should put this on hold and have Laura come back in. Mr. Valanzola – That would be a good idea. Deputy Chief Llewellyn – I spoke to Attorney Powers and one of our concerns was if we put up the Jersey Barriers how are we or the Fire Department going to get in there? And #2 we don't just want the abandoned cars dumped on the Town of Rockland because they

## **B. UNFINISHED BUSINESS (Continued)**

are not easy to get rid of. We've been through this a number of times in the past (with the School Street property, K-Mart property) has anyone given consideration on how we are going to get rid of those cars? Are we paying to get rid of them or what? Mrs. O'Brien-McKinnon – There is only one car on the property that belongs to the owner. The other vehicles on the property are used every day by the company that is across the street. Deputy Chief Llewellyn – I think it best that you have Attorney Powers here. It is a complicated document. Mr. Valanzola – Yes, there are too many questions on it.

**Motion: Mrs. O'Brien-McKinnon to table and invite Attorney Powers to next meeting**

**Second: Mr. Pratt**

**Vote: 5-0**

## **C. NEW BUSINESS**

### **1. Application for All Alcohol License – Harmon Club**

**Motion: Mr. Chaffee to open hearing**

**Second: Mr. Pratt**

**Vote: 5-0**

Attorney Launie spoke on behalf of the Harmon Club. They are requesting an "All Alcohol" seven day liquor for this club. Mr. Valanzola questioned the hours of operation. Attorney Launie – 11:00AM – 1:00AM. Every employee will be TIPS certified. Mr. Chaffee – If someone from the Harmon Club could just explain what you are planning on doing with the liquor license because people from the neighborhood are here and they probably have some thoughts that are not comfortable thoughts. Attorney Launie – Right now we have close to 700 members and we have corporate members who have golf outings for their employees for one day. There are all sorts of events that members would ask to use the facility for. Again, you have to be a member and only a member can pay and bring his guests. So there are not going to be people just coming on the site to ask to be served. Mr. Chaffee – From my membership at the Knights of Columbus I know that you are allowed to bring a guest only so many times and then that guest is no longer allowed to come in unless he joins the club. Is that one of your conditions or did you know about that? Attorney Laurie – We currently don't have a policy on that but as a private club we will enforce...there will only be a certain times a month that a guest can come because obviously if a guest comes every day he's not a guest he's a member. Mr. Valanzola read a description of the premises. Mrs. O'Brien (Planning Board) – When we approved them it was said that they were not to have a function hall facility. You just spoke about Christenings. Is that to rent the hall as a function hall facility? Attorney Launie – No that would only be for a member. There would be no charge for that; you would use the facility for that day as a member for your guests. Andy Taintaffelow – I just have a question. People are going to be coming out of your establishment at 1:00AM in the morning and are going to hit Concord Street and Concord is a residential Street. Is there

### C. NEW BUSINESS (Continued)

going to be a police detail at that club? Attorney Launie – Whatever the Town regulations are we will follow. We probably would like to have one if there is a special sporting event or function going on. Andy Traintaffellow – Could you put up a sign that says “Please do not flash your lights off an on or blow your horn when you leave here”. Attorney Launie – Even after the Patriots win the Super Bowl again or something. (Laughter) They are going to do everything they can to maintain that facility and be a good member of the community. Deputy Chief Llewellyn – I went up there today with Mr. Chaffee and Mr. Plante knowing that they were looking for an “All Alcohol” license and did get a tour of the facility. They do not plan to have “functions” or anything of that sort but if a member wants to have a Christening or something like that it’s ok. I was concerned if they were going to have wedding receptions or things that we would be concerned with. It appears that this is not in their plans whatsoever. They have a first class facility and are very much involved in the day-to-day operations and they assured us that there are not going to be any of those problems there at all. I think they are doing a great job with it. Chief Sammon – We checked that building as well. The fire alarm system is state of the art they have done a good job in our opinion. Mary Magnarelli (Moncrief Road) Are they going to have entertainment there when they have Christenings, parties or whatever? Attorney Launie – If anything they are planning to have a DJ but we are not talking about a band or anything like that. Mary Magnarelli – I would like to see the hours cut back. I think 1:00AM in a residential area is too late. Deputy Chief Llewellyn – They indicated that there were not going to be many of these things...they intend to be out of their around 9:00-10:00PM and that only on a special occasion (a Super Bowl or Red Sox thing) they might keep the place open if there were enough members there. (Resident – Name unintelligible) – It was my understanding that this was just supposed to be a golf course....no liquor license....no functions...I had to sign off on this. Ivy Foshey (Moncrief Road) – We abut the golf course and I think that is an awful lot of hours to keep something open especially if you are going to have a band or something there. There is no fence or barrier and people could wander over to our side if they wanted to and I would be very leery of that at 1:00 in the morning. Mr. Chaffee – I think I touched upon your concerns as well as the Deputy Chief today, I know club licenses...obviously we had the Sons of Italy, the Eagles and the K of C and I was thinking of a club license in those terms. I think what they are trying to do is...you will remember that they have come before this board looking for one-day liquor licenses and those were for functions that were not late at night. I think they ended at 7:00 or 8:00 at night. I don’t think what they are looking for is what we consider as a club license. I think they are looking for a license that will be good for the month instead of the one-day licenses that we are giving out. I know as one board member, I’m not happy about giving out one-day licenses...they are dangerous and I think it’s a bad practice for us to get involved in. Attorney Launie – This is not a night club. This is a restaurant and a place for the members to come in, golf, use the facilities. I think they built a beautiful room there it’s a full kitchen. This is more of a restaurant than it is a bar. Typically events that are held are golf events that are held in the afternoon and they are usually over by 4:30-5:00PM. Linda DelPrete (Concord Street) – I’m in agreement with these ladies. I think that when you have a license to drink until 1:00AM it is kind of dangerous

## C. NEW BUSINESS (Continued)

because you may have a beautiful facility but alcohol is ugly. There is always going to be people who abuse it and I know for myself I have two little grandchildren and that is right in my backyard. I have seen what people can do when they are in a black out and they are not themselves. I have concerns about that. I know it's a gorgeous facility ... they have done a wonderful job on it. It's not good to open it up until 1:00AM in the morning. I used to work at the Sons of Italy and I saw a lot that went on there. What's in my mind is a glorified Sons of Italy. When they say "last call" people are trying to down that last drink and get out and when they drive onto Concord Street they could drive into someone's house. So I'm in agreement with them and I do have to voice my opinion. Mr. Valanzola – One of the reasons for TIPS Training is that persons serving the alcohol can recognize that. Days of the happy hours are going out and people putting away as much as they could before 1:00AM are dwindling. Mrs. Parsons – I have a concern. You said something about members having Christenings....to me that becomes a function hall. And it's right in here that it is not to be a function hall. I can see golf related but I can't see that members get to have birthday parties, Christenings and those kinds of things because that turns it into a function hall and that is not the purpose of the special permit as I see it. As far as the alcohol; at 1:00AM little kids aren't playing in their backyards. I can see your concerns but I can't see you also being open until 1:00AM at night with alcohol unless you have stadium lighting and play golf at night. I think 1:00AM is a little extreme time wise. Deputy Chief Llewellyn – If the BOS decides to issue an alcohol license to them I'll assure you that the Police Department will keep a vigilant eye on them and if there is a problem we can come to you before your next round of licensing and report back to you. Mr. Valanzola – If we issue this tonight when would this be good through? Mr. Plante – This is through the end of December and then they would have to apply for a renewal. It's about a 2 ½ month period. Keep in mind that all this paperwork has to be sent to the ABCC for approval which takes some time as well. Mrs. Parsons – How long is your restaurant open? How long do you keep serving dinner? Attorney Launie – Right up until we close, I made that point earlier madam. Mr. Pratt – How many one-day liquor licenses have we given them? Mr. Plante – Two or three. Mr. Valanzola – There have been no issues when they have had the one-day licenses. Andy Triantaffelow – How about if you have a license until 11:30PM and then if you are having a function come before us and ask to extend the time until 1:00PM. Attorney Launie – That is the whole idea about coming before the BOS so we don't have to come back 10 times a month for requests if everything goes well. Andy Triantaffelow – How about you put a barrier around the neighborhood so nobody can go through their yards? Mr. Valanzola – It's not like a night club thing that you have people coming and going. It's going to be members and hopefully they will have rules and regulations for those members to abide by. Andy Triantaffelow – If a guy gets drunk and goes into some ones backyard and urinates or something like that, we'll catch him and he'll be barred from the club. One o'clock, the neighbors don't like that you have to work with the neighbors. (No name) – How about in the summer when we have our windows open and people can wander around on our property if they want to? Mrs. O'Brien-McKinnon – Have there been incidents of people going onto your property since Harmon's opened? (No name) Before they started the golf course people used to

### C. NEW BUSINESS (Continued)

come through my yard, through the woods onto Concord Street. They are used to the right-of-way there that we always tried to stop. I don't know if they still do it or not. But we are close enough that people can wander onto our property. (No name) – I had some golfers about a foot from my property line having a conversation and I said to myself, “wow that's kind of close”. So, yes, I agree with this lady it has happened. And I get balls in my yard. BOS – Did you keep them. (No name) Yes, my son plays golf. Mr. Pratt – I don't think you are going to have too many people walking the property at 1:00AM. They are going to eat, drink use the facilities and leave. Mrs. O'Brien-McKinnon – This is mostly for tournament issues during the day. Probably corporate tournaments more than anything. Hopefully for charitable events. Mr. Chaffee – What I would like to suggest because we would like to move on here. Why don't we monitor what they are having for functions during the course of the year. We may be talking about something that may never happen or something that happens once every other month. The one-day licenses we have given were for functions that ended by 7:00 or 8:00PM. I think we have to monitor their functions and see if there are any issues because we could sit here and debate this all night .... Attorney Launie – We are actually not talking about functions. We are talking about members being able to have a place to go to have dinner and watch a game and serving a catering to our membership. Mr. Chaffee – Remember now, we may be talking semantics now because if you are having a graduation party for a members child, a Christening, etc., that's a function. Attorney Launie – I agree with you but we are talking about Friday and Saturday nights members coming for dinner with their families and watching a game. That's what we are talking about giving them a full-service establishment. Mr. Chaffee – It's great to have a good name facility in the Town of Rockland. With that being said we have residents in the back of the hall that are concerned. Mr. Plante – If the Police Department has a problem over there this board has a right to call them in. You always have that right. The issuing authority has a lot of power in these matters. Attorney Launie – In regard to the “functions” they are going to be rarely if ever. We just threw that out. Mrs. Parsons – It's got to be never because that is what is in the zoning. Attorney Launie – There will be no functions. BOS – That is what we wanted to hear.

**Motion: Mr. Pratt to close hearing**

**Second: Mr. Chaffee**

**Vote: 5-0**

Mrs. Parsons – I would like to approve a seven day license until 11:00PM. Mr. Chaffee – I was thinking along the same lines but until 10:00PM.

**Motion: Mrs. Parsons to approve a seven day liquor license until 10:00PM**

**Second: Mr. Chaffee**

**Vote: 2-3 (Mr. Pratt, Mrs. O'Brien-McKinnon & Mr. Valanzola voted against)**

Mr. Valanzola had to clarify vote.



## C. NEW BUSINESS (Continued)

**Motion: Mr. Pratt to approve a seven day liquor license with hours as follows: Sunday – Thursday until 10:00PM and midnight on Friday and Saturday night.**

**Second: Mrs. O'Brien-McKinnon**

**Vote: 4-1 (Mrs. Parsons voted against)**

### 2. Annual License/Permit Renewals 2006

Common Victualler Licenses:

Trueman's Catering, 440 Union Street  
Union Street Ice Cream Shop – 233 Union Street

**Motion: Mr. Chaffee to approve**

**Second: Mr. Pratt**

**Vote: 5-0**

Lodging House License:

5 Union Street Trust, 5 Union Street

**Motion: Mr. Pratt**

**Second: Mr. Chaffee**

**Vote: 5-0**

## D. TOWN ADMINISTRATOR'S REPORT

Mr. Plante – I spoke to Bob Corvi and they are going to work through the night on Hingham Street and they will complete paving tonight. It will be open and back to normal tomorrow.

We had some flood issues this weekend. The Town of Rockland declared a local State of Emergency effective twelve noon on Saturday and terminated at twelve noon today. The biggest issue was the sewer plant. Normal is processing 3 million gallons a day with 5 million being its max. Saturday they had 17 million gallons go through. DEP was called out on Saturday to authorize them to do a direct discharge which is not a desirable thing to do. Sewer manhole covers were blowing off all over Town, however, I did not receive any reports of sewer backups. We also had a number of roads that were impassable because of flooding around Town. We had a problem at Reed's Pond ... a dock broke away and blocked the draining at Market Street. Reed's Pond was very close to going over Market Street. Back to the Sewer Department...John Laughlin had to rent several pumps from out of state because he was not able to keep up with the flow. It is back down substantially and hopes to be back to normal tomorrow. I got a fax from MEMA and they asked us to give us rough estimates of costs. Whether or not there

## **D. TOWN ADMINISTRATOR'S REPORT**

going to be any monies available remains to be seen. I understand the Governor declared a State of Emergency and I understand that the Presidents has to declare it a disaster area for that period of time. Most people do not have flood insurance. In the MEMA message there was section on private loss. If you have losses you can give us a copy and I'll make a file up and if monies becomes available we will file it for them. NO PROMISES...we will do what we can. It's a tough situation... this is a once in a lifetime storm.

(CD change.....lost section of meeting.) Verizon Telephone interruption – It is estimated that it will be two more weeks before service is restored to the residents in that section of Rockland. It is beyond our control. A lot of people are using cell phones. If you don't have cell phones I don't know what people are doing. That tent down there is not a party tent. They are down the hole and they are working.

Mini Entitlement Grant is all set and ready to go. I will be awarding that in a couple of days. Hopefully next year we will have our plans in place and we can apply for the big \$60,000 grant. So that is moving right along.

## **E. CORRESPONDENCE**

Mr. Valanzola read the following correspondence:

Letter from Paul Cusick to Brad Plante – Please be advised that I have appointed Joseph Waisgerber to the Capital Planning Committee for a term of three years.

Letter from Chief Sammon to Lou Valanzola – Previously the BOS approved the closing of Pacific Street for Saturday, October 15<sup>th</sup> for our Open House. This has been postponed until October 22<sup>nd</sup>. He is asking for the same approval for the new date.

**Motion: Mr. Pratt to authorize closing of Pacific Street on Oct. 22, 2005 from 9:30AM to 2:00PM**

**Second: Mr. Chaffee**

**Vote: 5-0**

## **F. OPEN FORUM**

Mr. Chaffee – In regard to the State of Emergency, I would like to thank the Town Employees, Police, Fire, Highway, Water, Sewer, etc. This was a weekend that was not one of your typical weekends. There was a lot of work, a lot of overtime and a lot of hard work put in to try to keep the damage and the problems under control. I thank all the different groups and departments that did that. Last Thursday the Kawanis had their annual awards presentations. Larry Ryan was given the public service award. Ed Borges was given an award for being the unsung hero in Town for the amount of hours he puts into the various things that he does. The Eagles were chosen as the business for their volunteer work and support of the community. Richard Hayes (Post Master) as given Kawanian of the Year. If you see these people on the street....

## **F. OPEN FORUM (Continued)**

congratulate them because Rockland only gets by and is only the Town that it is by the things that people do as volunteers. Last Friday night the Teen Center was closed unexpectedly because of to a couple of situations that developed. One of those things was that we do not have enough volunteers on Friday and Saturday night. Everyone remembers that the Abington football game was postponed and the rule is that when there is a football game at home the Teen Center opens at 9:00PM. Even before 9:00PM where there was no football game and the kids were gathering all over the Teen Center area thinking that it was open. Parents drive them up and drop them off and drive off. What happens is that we have a slew of kids left in the center of town with no place to go in the pouring rain. Saturday night the same problem existed and I got an email if I could help out because I'm up there on a regular basis. I went up there and to chaperone about one hundred kids we have six people who have no children at all and one person who had a daughter. We need parents to come up and put in their time for the Teen Center. Every body remembers why the Teen Center opened. We don't want another tragedy of that nature to cause us to think about the Teen Center to continue now. On a Friday night we have (I'm going to scare some people) about 300 kids. It's for 6, 7, 8 graders all the way through high school. (6<sup>th</sup> & 7<sup>th</sup> graders leave at 9:00PM.) If the parents of these students could just give us that time it would be really helpful. It's not fair to a lot of people who don't have kids who watch parents drop off their children and go off to Friday functions. Some of us work the Teen Center and we really need you to help out.

Mrs. Parsons – Nothing

Mr. Valanzola – Two weeks from tonight is Halloween. The hours are from 5:00-7:00PM. Make sure your children bring flashlights and everyone drives carefully. Today Mr. Plante distributed the budget worksheets ... he reminded Department Heads that we really need to be level funded this year with the fiscal situation. Although we have to give anything that is contractual, unfortunately we might not be able to give any increases this year. We are not sure if we are getting the LNR money to bail us out of this year. If anyone needs any assistance...I know I've mentioned this every year with regard to the zero based budgeting or anything I can do. Let me or any board member know.

Mr. Pratt – Thanked all the Town Employees for all their hard work and efforts during the storm. Things could have been a heck of a lot worse if we didn't have the men and women employees doing what they do best. Everyone did an extraordinary job of making the best out of a bad situation.

Mrs. O'Brien-McKinnon – All set.

Mr. Valanzola – I had one question for Mr. Plante. We had a tree fall on a pole up on Plain Street. Do we have any information on that? Deputy Chief Llewellyn – That was a single car accident and some wires came down so I know that Edison was on its way.

## **F. OPEN FORUM (Continued)**

Chief Sammon – I was in two weeks ago to speak about a vehicle for the Fire Department. As I mentioned to Brad I got some figures on lease purchase but I've seem to found another vehicle that would be more advantageous for us. If there is any way possible that we can do this it would be appreciated. It's a four door sedan at a lot cheaper price than what we were talking. Mr. Plante – I am working with Representative Nyman to get a car from Mass Turnpike but the car has over 100,000 miles on it. If we get the car from the turnpike authority we will swap the red car out. Mr. Chaffee – To explain to the audience. It is incredible that we would have this stroke of luck. Regan Ford in Haverhill due to a fleet cancellation has one 2005 Crown Victoria for sale. It is equipped with a police intercept package it is listed at \$26,000 and is on sale for \$17,900. I think this is an opportunity that the Town does not get often. Mary Stewart came up with this. Chief Sammon – We have it on hold right now. Mrs. Parsons – It's a great opportunity but we do not have the money to do this right now. I think you have to go before the Finance Committee and get them to free up money. We can't do roofs and this car. Mr. Chaffee – You do have money actually because tonight you voted (give or take) \$100,000 for the Fire Station and you are going to patch the Library with the money we have right now and LNR money will become available. Mrs. Parsons – But the patch doesn't hold. Mr. Plante – The LNR money will be in certainly by the spring. Mr. Chaffee – So you can afford this with the money we have right now and I think an opportunity like this (where we usually replace an old car with a less old car) it's an opportunity that we can't pass on. Mrs. Parsons – I really think it needs to be a Finance Committee issue. Mr. Valanzola – We have to replace the roofs. If the LNR money doesn't come through as promised we will be minus \$18,000 for this vehicle. Mr. Pratt – We are replacing the Fire Dept. roof and we are repairing the Library roof and with that there is still a balance in the account from the Blue Cross money. Mrs. Parsons – The issue is that the Library roof has to be fixed. Chief Sammon – In the spring. Mrs. Parsons – True, but this puts this money in the hole \$18,000. We don't know when we are getting the extra money yet. We'd like to have it by December but we don't know this and the roofs are a priority. Mr. Valanzola – Do most Fire Departments have vehicles like this at their disposal? Chief Sammon – Yes, either two or three. Mr. Chaffee – The Finance Committee money...we keep talking about \$235,000...that money has to get us through a whole year on emergencies that we don't know what's going to happen. Some years we have \$100,000 at the end of the year and I know we have all talked about that and made criticisms. But you don't know what emergencies you face. We just had a rain storm that no one was able to forecast at all. If you had a major fire or who knows what else could happen...something major and we are spending money out of that account for fire cars or library roofs when we don't know how much the final bill will be. Let's say it will cost \$200,000 for the library roof. If we do that then you are telling me that we have \$35,000 to get us from December – July 1<sup>st</sup>. That is a really dangerous gamble to take. We have LNR money...yes we do. Obviously we know that it's coming at some point in time. We need to think tonight ... if we don't work on it tonight...Mrs. Parsons – This is one of those emergencies. This is the very thing that the \$235,000 goes towards. Mr. Plante – Mr. Chairman, I would like to

## **F. OPEN FORUM (Continued)**

remind the BOS the intent of the Blue Cross Blue Shield money was for these very type things. As you know, Mr. Borges is here and he is going to talk about the COA van. That money came out of that same account. The intent was for the Town to buy things that we need that we can't ordinarily afford. Keep that in mind...I know that you have the roof issue too. Mr. Valanzola – Have we looked into renting used vehicles. Chief Sammon – I've already been down that road. I have an opportunity now that I really wouldn't want to pass up. Mr. Pratt – Right now you have a car for \$17,900 that is going to last you 5-10 years, where you could buy a used car with 150,000 miles that would only last two years out of it. Chief Sammon – This car will be used to respond to emergencies. Mr. Valanzola – We know your position. We know you need it; it's just the money situation. We have certain budgets (I won't name the department) particularly the overtime. We are going to be in trouble with overtime in some departments here. We are spending more than the 1/12 that we told the Department Heads to spend on their budgets and we have to be careful that we're not digging ourselves into a deep hole. It doesn't sound like a lot of money but it just digs us a little deeper. I do agree you need a car. The other car is beyond repair. There is only so much money to go around. Mr. Chaffee – I'm going to take a chance on this because I think it is a worthy cause. I think it is a once in a lifetime opportunity, the price is too good to pass up and we need to do something for the Fire Department. Right now they have two cars...one of which might not make it until the end of the week. Mr. Valanzola – Can we make this contingent on getting the other vehicle. Mr. Plante – I have no idea when it is going to come. All I know is that I sent a letter to Representative Nyman and he sent a letter to Mr. Amarello and that's all I know at this point. I know there is a car there but whether or not we get it remains to be seen. Mrs. Parsons – The other issue is like the roofs being patched, you might be able to use that car as an interim and then we can purchase. Chief Sammon – I spoke to Representative Nyman the other night and that vehicle has already been given to someone else.

**Motion: Mr. Chaffee to take \$17,900 from the BC/BS money for the 2005 Crown Victoria – Fire Department Car**

**Second: Mr. Pratt**

**Vote: 4-1 (Mrs. Parsons against)**

Joseph Reis (Huggins Road) – With this storm last weekend the rivers and streams are all backed up. Is there a chance we can get them cleaned out? I know they tried to do French's Stream and got in trouble. Can the Conservation and the Town put some pressure on the State to get these rivers and streams cleaned out? There is so much debris in there, i.e. leaves, branches, logs, mattress, etc. Mr. Valanzola – One of the things we did in the past was a bulk rubbish day. I think what happens is that there is no way to get rid of these old refrigerators, washing machines, dryers, etc. Maybe the Town should look into that because a lot of times they end up in these streams or places that people don't have to pay to get them disposed of. Mr. Reis – If you declared a State of Emergency could that be used to clean out these rivers. You have to start doing something because every 20 years we get these heavy rains. Mr. Reis gave an overview of areas and people who were affected by this rain storm.

## **F. OPEN FORUM (Continued)**

Andy Triantaffelow – Regarding the rivers act...the Sewer Department did French's Stream and it was a mess out there. The DEP got involved with it and everything else. We had a big meeting down there, Larry Ryan, myself, Gerry DelPrete, the two people at the Sewer Department went to the DEP and they were going to fine us like \$25,000-\$30,000 because of what we did. But in the long run it didn't cost us a dime. Normally this is how it works; the Sewer Department takes care of all the rivers and because it was such a mess at French's Stream the Sewer Department said they weren't doing it anymore. We have to do something about cleaning these rivers because right now they are piled up with all kinds of debris. There are a lot of dikes going on that are stopping the water from flowing. There are trees knocked over and people threw big rocks in there. The Sewer Department used to get \$35,000 a year to clean out these streams.

Mrs. Parsons – They still do, it's in their budget. But that is not the issue...the issue is the order of conditions have to be given by the Conservation Commission and what the terms and conditions are to clean out the streams. You have to abide by DEP (which was by hand) for French's Stream. The reason you had to meet with DEP was because there was an order of conditions (actually an outdated order of conditions) they weren't recorded right and the Sewer Department (Greg Thompson) took it upon himself to go down and start digging someone's backyard. He wasn't just cleaning out the stream. Andy – He did an awful job and that's what caused us a lot of problems. Mrs. Parsons – Plus on French's Stream it's not so much the debris that is in the stream ... that stream floods upstream all the way to the Naval Air Station it's coming off that base and flooding out all the way down. It's what is called a gaining stream. The minute that the ground water is saturated then it's up on the surface. So it's not the obstacles in it...it may make it divert in places, but that is going to flood period. I do agree that we need to have a bulky rubbish pickup. People can't get rid of their large objects. Mr. Pratt – The issue with the bulky rubbish pickup was that it was left out in the streets a long time before getting picked up. Stuff just sat and sat and sat and it took them forever to get rid of it all. What they started doing was giving out the permits for the bulky rubbish disposal and you can get a permit every year up at the Board of Health to dispose of a certain amount of items per year. Mrs. Parsons – You get a \$50 voucher...you might be able to get rid of two items. Take a look at what they charge...it's a joke.

Andy Triantaffelow – The Sewer Department...they don't want to do the streams so you have to get someone who wants to do the streams. Mr. Pratt – When I was a kid the Eagle Scouts would do this as a project. They did French's Stream by hand. It has to be done properly. You just can't go in their with a machine.

Mrs. Parsons – We just can't go in their by hand without an order of conditions.

Andy – We had the prisoners do it before and we bought them lunch. Now nobody wants to do it. If it's done right like Mary said...we do up the order of conditions and send out three bids and these contractors will come in and the best bid will sit down with the Selectmen and decide what they are going to do ... lay it all down in black and white so there is no mistakes and then we can go from there.

Mrs. Parsons – I think you want to ask the Sewer Commissioners where that \$35,000 is going that they have in their budget. If they are not cleaning the streams... where is it? Andy – Last year all the basins had to be recorded by the State. They

## F. OPEN FORUM (Continued)

took the \$35,000 last year and did that...cleaning the basins and see in the plans where the pipes are going and where the water is draining to. That's a big job and is going to cost the Town a lot of money. Mrs. Parsons – They were supposed to come across with the new zoning maps and that was two years ago when they did a fly over for the storm drains. We haven't seen them. Andy – So Bob Corvi, Sr. took the money with the permission from the Selectmen and used that \$35,000 to put a down payment on this. Mr. Reis – I'm talking way back in the woods where trees are down and everything, you can't do this by hand. You're going to need chainsaws to clean out these rivers.....no boy scouts are going to be able to go in there and do it. When I was a kid I remember seeing the machines going through the rivers and bringing the stuff out to the street and hauling it away. It's a bandaide the way he is talking and stuff. You have to get right into the trench and move it out. Mrs. Parsons – Excuse me but that was what he was talking about and why we were getting fined \$35,000 because the Sewer Department went in there and used machinery without an order of conditions and without DEP to authorize it. DEP rules on the riverways. Mr. Reis – DEP isn't loosing property and stuff. Let's act on it instead of talking about it. Andy – I'll get in touch with DEP tomorrow and find out how we can eliminate this problem. Whatever they say...they are GOD. Conservations works for them.

Ed Borges – Update on COA Van. When we were allocated the money for the van I went to Chief Donovan and sat down with him and asked which was the best way to go. He said the county bid, we could save money. If we went out to bid we would have to put it in the newspapers for three weeks and give them 60 days to respond then do a purchase order on it. They would then have to order it from the factory and two dealerships I spoke to said it would be 7-8 months. I went to the county bid, the order is for less than \$40,000. It's \$10,000 or more below what we were allocated. The van now is finished. They cleaned it up today. They are doing a front-end alignment and it's going back to MHQ and they are going to deliver it to the Town of Rockland. What I tried to do was save some money for the Town from the \$50,000. The van is a one ton van, 10 passenger, chairlift, automatic door, high-top....all of that had to be applied after it was received from the factory. What isn't understood here is that they do not have these sitting there on the lots. You have to order from the factory and they take their sweet time. We did the purchase on August 1<sup>st</sup> and we will get the van within the next week or so. I will notify you as soon as the van is received so we can have the festivities with BC/BS. Andy Traintaffellow – If that was explained in the beginning I wouldn't have been getting up like a damn fool asking "Where's the van, where's the van". If I had known it would take that long I would have shut my big mouth. BOS – We don't think so. (Laughter) Ed Borges – We got a newer, larger vehicle that is going to cost \$10,000 less than was allocated. BOS – Great job.....

**Motion: Mr. Chaffee to adjourn at 8:56 PM to Executive Session for the purposes of Collective Bargaining and Litigation and not to reconvene.**

**Second: Mr. Pratt**

**Vote: 5-0 Mr. Chaffee-yes, Mrs. Parsons-yes, Mr. Pratt – yes, Mrs. O’Brien-McKinnon-yes and Mr. Valanzola-yes**

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LAWRENCE J. CHAFFEE  
VICE-CHAIRMAN

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BRADLEY A. PLANTE  
TOWN ADMINISTRATOR